

### REMARKS

This application has been carefully reviewed in light of the Office Action dated August 13, 2004. Claims 1 to 3, 6 to 11, and 13 to 26 are in the application, with Claims 1, 10, 18, and 25 being independent. Claims 5 and 12 have been cancelled without prejudice. Claims 1, 3, 7, 10, 11, 13 to 18, and 25 have been amended. Reconsideration and further examination are respectfully requested.

Applicant gratefully acknowledge that Claims 18 to 26 have been allowed. The amendments made to Claims 18 and 25 are not believed to affect their allowability. Accordingly, Claims 18 to 26 are believed to remain in condition for allowance.

Claims 1 to 3, 7, 10, 11, and 13 were rejected under 35 U.S.C. § 102(b) over JP 61-28240 (Nakagawa). Claims 5, 6, 9, 12, 14, and 15 were rejected under 35 U.S.C. § 103(a) over Nakagawa. These rejections are respectfully traversed.

According to one feature of the invention as recited by Claims 1 and 10, the light emitting part (or light emitting device) and the light receiving part are provided in a printed board.

Nakagawa is not seen to teach or suggest at least the foregoing feature.

As shown in Nakagawa's Fig. 1, the light emitting element 310 and the photodetector 410 are not provided in the printed circuit board 100.

Claims 1 to 3, 7, 10, and 11 also received a provisional rejection for obviousness-type double patenting over Claims 1, 2, 5, 7, and 17 to 20 of co-pending Application No. 10/137,350. This rejection is respectfully traversed.

The claims of Application No. 10/137,350 are not seen to disclose (a) the

feature recited by Claim 1 that the portion of the light receiving part embedded in the optical transmission region has a spherical surface, or (b) the feature recited by Claim 10 that the light receiving part has a spherical structure.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant has not yet received an indication that the documents cited in the August 3, 2004 Information Disclosure Statement have been considered and made formally of record. It is respectfully requested that the Examiner indicate his consideration of the cited documents by returning an initialed copy of the Form PTO-1449 that accompanied the Information Disclosure Statement. For the Examiner's convenience, a copy of the Form PTO-1449 is enclosed.

An Information Disclosure Statement is being submitted herewith, and the Examiner is respectfully requested to consider the documents cited therein.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Damond E. Vadnais", is written over a horizontal line.

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